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September 28, 1998

Ms. Magalie Romas Salas, Secretary
FEDERAL COMMUNICATIONS COMMISSION
Room 222
1919 M Street, NW
Washington, DC 20554

RECEIVED

SEP 30 1998

FCC MAIL ROOM

Re: Petition for Rule Making
Change Community of License
Lake Village, Arkansas and Greenville, Mississippi

Dear Ms. Salas:

Enclosed please find an original and five copies of a Petition for Rule Making, filed by DELTA RADIO, INC., requesting the reallocation of Channel 278C3 from Lake Village, Arkansas, to Greenville, Mississippi, in accordance with Section 1.420(i) of the Commission's Rules.

If this proposal is ultimately adopted, DELTA RADIO, INC., will promptly apply for authority to modify the facilities of Station KZYQ(FM), to specify Greenville, Mississippi, as its community of license.

An additional copy of the first page of the petition is enclosed. Please date-stamp and return to us in the enclosed postage-paid envelope.

If there are any questions, please advise.

Respectfully submitted,

DELTA RADIO, INC.

Larry G. Fuss
President

enclosures (as above)

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HMB

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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SEP 3 01998**

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket _____
Table of Allotments,) RM - _____
FM Broadcast Stations)
(Lake Village, Arkansas and)
Greenville, Mississippi))

FCC BUREAU

To: The Chief, Allocations Branch

PETITION FOR RULE MAKING

Comes now DELTA RADIO, INC., (hereafter "Delta"), pursuant to Section 1.401 of the Commission's Rules, and respectfully petitions the Commission to amend the FM Table of Allotments, 47 C.F.R. 73.202(b), to reallocate FM Channel 278C3 from Lake Village, Arkansas to Greenville, Mississippi, as that community's fourth local FM service.

Proposal of Petitioner:

<u>City</u>	<u>Channel Numbers</u>	
	<u>Present</u>	<u>Proposed</u>
Lake Village, Arkansas	240C3, 278C3	240C3
Greenville, Mississippi	250C2, 264C1, 284C2	250C2, 264C1, 284C2, 278C3

Delta also requests a concomitant modification of its license for Station KZYQ(FM) to specify Greenville, Mississippi, as its community of license.

The allotment of Channel 278C3 to Greenville, Mississippi, is mutually-exclusive with Channel 278C3 at Lake Village, Arkansas. As such, Delta seeks to invoke the provisions of Section 1.420(i) of the Commission's Rules, which permit the modification of a station's license to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest. 1/

In support of this proposal, the following information is herewith submitted for consideration:

Greenville is an incorporated city located in Washington County in west central Mississippi, approximately 145 kilometers northwest of Jackson, Mississippi. The city population is 45,226 and the county population is 67,935. By contrast, Lake Village has a population of only 2,791. Lake Village is located in Chicot County, which has a population of only 15,713. Greenville's population is more than 16 times larger than the population of Lake Village. Greenville is the largest city in a 6-county trade area, which includes Chicot County, Arkansas, and the city of Lake Village.

Greenville currently is the city-of-license of two FM stations, WBAQ(FM), Channel 250C2, and WDMS(FM), Channel 264C1. There is also a vacant allotment in Greenville, Channel 284C2, for which multiple applications are pending. There are also three AM stations in Greenville, WDDT, 900 kHz, WGVM, 1260 kHz, and WNIX, 1330

1/ See *Modification of FM and TV Authorizations to Specify a New Community of License* ("Change of Community R&O"), 4 FCC Rcd 4870 (1989), recon. granted in part ("Change of Community MO&O"), 5 FCC Rcd 7094 (1990).

2/ City population from the 1990 U.S. Census.

kHz. Of the three AM facilities, only WNIX operates fulltime. Lake Village is the city-of-license of two FM stations, KUUZ(FM), Channel 240C3, and KZYQ(FM), Channel 278C3. Based on population figures, Lake Village has one radio station for every 1,395 residents, whereas Greenville has one radio station for every 9,045 residents.

The re-allocation of Channel 278C3 from Lake Village to Greenville would further the objectives of Section 307(b) of the Communications Act of 1934, as amended, by providing an additional local service to the much-larger community of Greenville, Mississippi, while not depriving Lake Village, Arkansas, of its sole broadcast outlet. Lake Village would retain service from Station KUUZ(FM). Moreover, Delta proposes no change in KZYQ's technical facilities. The station will continue to operate from a tower site located in Chicot County, Arkansas. As such, there would be no gain or loss in the service area of KZYQ(FM).

Attached hereto and made a part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, Channel 278C3 could be allocated to Greenville, in full compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules.

If this proposal is adopted, Delta will promptly apply for a modification of its license to specify Greenville, Mississippi, as its community of license.

In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing Petition for Rule Making and the attached Technical Exhibit and that both are true and correct to the best of my knowledge and belief.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, Section 73.202(b), be amended as requested herein.

Respectfully submitted,
DELTA RADIO, INC.

A handwritten signature in black ink, appearing to read "Larry G. Fuss".

Larry G. Fuss, President
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September 28, 1998



Contemporary Communications

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TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
REALLOCATION OF CHANNEL 278C3
FROM LAKE VILLAGE, ARKANSAS
TO GREENVILLE, MISSISSIPPI

DELTA RADIO, INC.

Prepared September 26, 1998

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TECHNICAL EXHIBIT

**IN SUPPORT OF
PETITION FOR RULE MAKING
REALLOCATION OF CHANNEL 278C3
FROM LAKE VILLAGE, ARKANSAS
TO GREENVILLE, MISSISSIPPI**

DELTA RADIO, INC.

INTRODUCTION

This Technical Exhibit supports the petition of DELTA RADIO, INC., seeking to amend the FM Table of Allotments, Section 73.202(b) of the Rules, by reallocating Channel 278C3 from Lake Village, Arkansas, to Greenville, Mississippi. Delta also seeks to modify its License for Station KZYQ(FM) to specify Greenville, Mississippi, as its community of license, pursuant to Section 1.420(i) of the Commission's Rules.

ALLOCATION

No changes are proposed in the technical facilities of Station KZYQ(FM). The station will continue to operate from its licensed site in Chicot County, Arkansas. As such, no Technical Exhibit in support of the allocation was deemed necessary.

Although allocating Channel 278C3 to Greenville, Mississippi, would require the deletion of Channel 278C3 at Lake Village, Arkansas, the smaller community of

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Lake Village

~~Greenville~~ would retain fulltime service from Station KUUZ(FM), a Class C3 facility. The larger community of Greenville, Mississippi, would receive an additional local FM channel as a result of the allocation of Channel 278C3.

CONCLUSION

The proposed change in the table of allotments will not create a short-spacing to any existing station, pending application or vacant allotment, and other than the deletion of Channel 278C3 at Lake Village, Arkansas, will not require the reallocation of any station, pending application or vacant allotment.

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